

REMARKS

This Amendment is filed in response to the Final Office Action dated March 27, 2009, with Request for Continued Examination (RCE) and Petition for 1 Month Extension of Time filed herewith on even date. All rejections and objections are respectfully traversed.

Claims 1 and 57 are pending in this case.

Claims 1 and 57 have been amended.

Request for Examiner Interview

The Applicant respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before issuance of the next Office Action. The Applicant's undersigned attorney may be reached at 617-951-2500.

Claim Rejections - 35 U.S.C. §103

At paragraphs 4 – 10 of the Office Action, claims 1 and 57 were rejected under 35 U.S.C. §103(a) as being unpatentable over Baker, U.S. Patent No. 6,473,741 in view of Dang et al., U.S. Publication No. 2003/0101111, in further view of SurePrep, "Your Tax Preparation Partner, September 19, 2002 (hereinafter "SurePrep"), in further view of Carver, U.S. Publication No. 2004/0078307 (hereinafter "Carver").

The Applicant's claim 1, representative in part of the other rejected claims, sets forth:

1. A financial services outsourcing method for facilitating a direct service provider's outsourcing of tax preparation services for numerous ultimate clients, the tax preparation services being outsourced to an outsourcing group abroad, the method comprising:

for plural respective direct service providers, loading, onto a remotely accessible part of a common host server located in the United States, ultimate client specific financial files and corresponding reference materials, the host server providing access to a remote computer client of information concerning the ultimate client specific financial files and corresponding reference materials;

retaining outsourced personnel to perform the tax preparation services for ultimate clients of the direct service provider, the outsourced personnel performing the tax preparation services while located outside the United States;

providing the outsourced personnel limited access to a predefined set of data associated with the ultimate client stored on the host server;
the outsourced personnel performing the tax preparation services through a remote limited access client located outside the United States connected to the host server;
maintaining a web tracking server;
logging statuses associated with the tax preparation services into the web tracking server while the outsourced personnel is performing the tax preparation services;
accessing, by the direct service provider, the web tracking server to obtain a status report produced from logging the statuses associated with tax preparation services; and
sending, by the web tracking server, an unsolicited notification to the direct service provider in response to a status change occurring with the tax preparation services.

By way of background, Baker discloses a system and method for the electronic exchange of tax data between those in the financial service industry. *See* Baker, col. 5, lines 34 – 39. Specifically, tax preparation firms submit their databases of income tax data for archival and later retrieval by requesting organizations (“as a result of **automated tax preparation**, these accounting and tax firms have warehouses of databases of tax returns in digitized format,” *See* Baker, col. 8, lines 46 – 49). A service bureau then organizes the data from the different firms and coordinates dissemination of the data for a rental fee or user fee to third parties. *See* Baker, col. 8, lines 65 – 67. Third parties then retrieve the data for the fee and utilize the data to obtain patterns and relationships that are otherwise not readily evident. *See* Baker, col. 2, lines 46 – 51.

By way of further background, Dang provides a technique related to identifying and monitoring taxable transactions, and calculating taxes due on a transaction. *See* Dang, paragraph [0008]. Domestic businesses are usually required by state and local authorities to charge sales and/or use tax for most commercial (i.e., sales of goods) transactions relating to goods. *See* Dang, paragraph [0002]. Therefore, Dang provides a system that enables merchants to electronically outsource the burden of tax calculation and remittance to state-certified service providers. *See* Dang, paragraph [0035]. Specifically, the Dang system collects data based on a financial transaction, calculates any taxes due on the transaction, reports the information to a selected government

authority, and periodically remits funds corresponding to the tax owed to the government authority. *See* Dang, paragraph [0018].

SurePrep describes a system of chartered accountants located offshore that prepare tax returns at a reduced cost. *See* SurePrep, page 2.

Carver discloses a system and method for “conducting, tracking, storing and analyzing various financial and tax-related transactions over a computer network such as the internet.” *See* Carver, paragraph [0015] – [0017]. Specifically, Carver utilizes various independent software programs and internet web sites that are already in existence to perform the tax and financial analysis. *See* Carver, paragraph [0026]. “The data of any particular user that is recorded and stored in a secure database is automatically input into one or more of these downloadable programs on demand to generate a variety of financial and tax-related documents for that user.” *See* Carver, paragraph [0027].

A. None of the References teach or suggest providing the outsourced personnel limited access to a predefined set of data associated with the ultimate client stored the server.

The Applicant respectfully urges that a combination of Baker, Dang, SurePrep, and Carver does not to teach or suggest Applicant’s claimed novel “*logging statuses associated with the tax preparation services into the web tracking server while the outsourced personnel is performing the tax preparation services.*”

In the Applicant’s technique, an outsourced personnel is provided limited access to a predefined set of data associated with the client. For example, if outsourced personnel is perform tax preparation for John Doe, then the outsourced personnel would have access to that data associated with John Doe and would not have access to the data associated with, say, a Jane Smith or other ultimate client (e.g., the outsourced personnel has limited access).

The Applicant notes that there appears to be agreement that Baker fails to teach or suggest this feature of the Applicant’s claim. *See* Office Action, paragraph 7.

The Applicant also submits that Dang also fails to teach this feature of the Applicant’s claim. The Applicant notes that the Office Action cites paragraph [0011] of

Dang. Specifically, paragraph [0011] of Dang simply describes a plurality of servers (that respectively host a plurality of virtual portals having application) that communicate to identify taxable financial transactions, collecting data based on the transactions, calculating taxes due on the transactions, and reporting this information to government authorities. The Applicant notes that Dang makes no mention of providing outsourced personnel limited access to a predefined set of data associated with the ultimate client. Therefore, the Applicant respectfully submits that Dang may not fairly be interpreted to teach or suggest the Applicant's claimed ***"providing the outsourced personnel limited access to a predefined set of data associated with the ultimate client stored the server."***

Moreover the Applicant respectfully submits that SurePrep is also silent with respect to this feature of the Applicant's claim. Instead, SurePrep describes a system of chartered accountants located offshore that prepare tax returns at a reduced cost.

Finally, the Applicant respectfully submits that the deficiencies of Baker, Dang, and SurePrep are not remedied by a combination with Carver. Carver discloses a system and method for "conducting, tracking, storing and analyzing various financial and tax-related transactions over a computer network such as the internet." *See* Carver, paragraph [0015] – [0017]. The Applicant notes that Carver makes no mention of ***"providing the outsourced personnel limited access to a predefined set of data associated with the ultimate client stored the server."***

Accordingly the Applicant respectfully submits that a combination of Baker, Dang, SurePrep, and Carver is legally insufficient to render the present claims unpatentable under 35 U.S.C. §103(a) because of the absence in Baker, Dang, SurePrep, and Carver of the Applicant's claimed ***"logging statuses associated with the tax preparation services into the web tracking server while the outsourced personnel is performing the tax preparation services."***

B. None of the References teach or suggest logging statuses associated with tax preparation services into a web tracking server, a direct service provider accessing the web tracking server to obtain a status report that is produced from the logging, and sending an unsolicited notification from the web tracking server to the direct service provider in response to a status change of the tax preparation services.

The Applicant respectfully urges that a combination of Baker, Dang, SurePrep, and Carver does not teach or suggest Applicant's claimed *"logging statuses associated with the tax preparation services into the web tracking server while the outsourced personnel is performing the tax preparation services"* and *"accessing, by the direct service provider, the web tracking server to obtain a status report produced from logging the statuses associated with tax preparation services"* and *"sending, by the web tracking server, an unsolicited notification to the direct service provider in response to a status change occurring with the tax preparation services."*

In The Applicant's technique, as the tax preparation services are being performed, the Applicant's system logs the statuses associated with the tax preparation services into a web tracking server. A direct service provider (e.g., who facilitated the outsourcing, such as a CPA firm) may access the web tracking server to obtain a status report that is produced from the logging of the statuses that occurred during the tax preparation services. Moreover, as the statuses change, an unsolicited notification is sent from the web tracking server to the direct service provider.

First, the Applicant respectfully submits that Baker does not teach or suggest these features of the Applicant's claim. Instead, Baker discloses a system and method for the electronic exchange of tax data between those in the financial service industry.

Secondly, the Applicant respectfully submits that Dang also does not teach or suggest these features of the Applicant's claim. Instead, Dang provides a technique related to identifying and monitoring taxable transactions, and calculating taxes due on a transaction.

Moreover, the Applicant respectfully submits that SurePrep also fails to teach or suggest these features of the Applicant's claim. Instead, SurePrep describes a system of chartered accountants located offshore that prepare tax returns at a reduced cost.

Finally, the Applicant respectfully submits that Carver is silent with respect to

these features of the Applicant's claim. The Applicant notes that Carver discloses "tracking ... various financial and tax-related transactions over a computer network such as the internet (emphasis added)." See Carver, paragraph [0016]. However, the Applicant notes that Carver makes no mention of **logging** statuses associated with the tax preparation services **into a web tracking server**. Further, the Applicant notes that Carver makes no mention of a direct service provider accessing the web tracking server to obtain a status report that is produced from the logged statuses. Even further, the Applicant notes that Carver also says nothing of sending an unsolicited notification to the direct service provider when there is change in status during the tax preparation services. Therefore, the Applicant respectfully submits that Carver may not fairly be interpreted to teach or suggest the Applicant's claimed *"logging statuses associated with the tax preparation services into the web tracking server while the outsourced personnel is performing the tax preparation services"* and *"accessing, by the direct service provider, the web tracking server to obtain a status report produced from logging the statuses associated with tax preparation services"* and *"sending, by the web tracking server, an unsolicited notification to the direct service provider in response to a status change occurring with the tax preparation services."*

Accordingly the Applicant respectfully submits that a combination of Baker, Dang, SurePrep, and Carver is legally insufficient to render the present claims unpatentable under 35 U.S.C. § 103(a) because of the absence in Baker, Dang, SurePrep, and Carver of the Applicant's claimed *"logging statuses associated with the tax preparation services into the web tracking server while the outsourced personnel is performing the tax preparation services"* and *"accessing, by the direct service provider, the web tracking server to obtain a status report produced from logging the statuses associated with tax preparation services"* and *"sending, by the web tracking server, an unsolicited notification to the direct service provider in response to a status change occurring with the tax preparation services."*

Conclusion

All independent claims are believed to be in condition for allowance.

Please charge any additional fee occasioned by this paper to our Deposit Account
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Respectfully submitted,

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